

IN MEMORIAM: JUDGE JEROME NELSON

Jerome (Jerry) Nelson, an Administrative Law Judge at the Federal Energy Regulatory Commission (from 1987 to 1996) passed away on August 4, 2020. He was eighty-six.

Born and raised in Newton, Massachusetts, Jerry lived in Silver Spring, Maryland, with his family. Jerry graduated from Oberlin College in 1956 and from Harvard University, with his LL.B., in 1959, the year he was first admitted to the Massachusetts Bar. Jerry was also admitted to the District of Columbia Bar in 1960, and the U.S. Court of Military Appeals and U.S. Supreme Court shortly thereafter.

Jerry Nelson spent more than 30 years as a government lawyer, including serving as General Counsel of the Nuclear Regulatory Commission, Solicitor of the Federal Energy Regulatory Commission (FERC), and then as an Administrative Law Judge at the FERC. He was also a partner in a Washington law firm specializing in litigation and a Hearing Officer with NASD (now the Financial Industry Regulatory Authority or FINRA), a self-regulatory organization in the securities industry. Judge Nelson taught administrative law at American University and also taught at the University of Maryland School of Law and served as an arbitration chairperson at FINRA. Jerry, with Gary Edles, co-authored *Federal Regulatory Process: Agency Practices and Procedures* (Aspen Prentice-Hall, 2d ed., 1989) (supplemented 1997), a book that has been cited in a Supreme Court opinion and several lower court opinions. Jerry and Gary also taught administrative law on the faculty of the Department of Justice Legal Education Institute.

Jerry was a demanding figure on the FERC bench, expecting precise arguments and a high level of competence and performance from the energy bar that practiced before him. Sloppy logic did not rest well with him and he would endlessly probe an argument to test its faults. At FERC, in addition to sharing news of his family that he was so proud of, Jerry was a devoted baseball fan, both to the game and to the Orioles. He had a wealth of knowledge on all things baseball which he freely shared (or taught) to others. Judge Nelson looked for the opportunity to include baseball references in his initial decisions as the facts and law would allow, and he appreciated the apt baseball analogies attorneys worked to use when they argued their cases before him.

In addition to his work teaching administrative law at area law schools, Judge Nelson also volunteered his time as a judge in moot court competitions. Judge Nelson mentored many law clerks who passed through his FERC office, and gave good advice to them as they prepared to move on to new positions in the Energy Bar. Engaging, considerate of others and always intellectually curious, he will be missed.